

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

DORIS SMITH

PLAINTIFF

v.

CIVIL ACTION NO. 3:23-cv-417-TSL-MTP

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER

This cause is before the court on the report and recommendation of United States Magistrate Judge Michael T. Parker entered on July 26, 2024, recommending that the decision of the commissioner be affirmed and that this action be dismissed with prejudice. Plaintiff Doris Smith did not object to the report and recommendation and the time for doing so has expired. The court, having fully reviewed the report and recommendation and being duly advised in the premises, now finds that the report and recommendation should be adopted as the opinion of the court.¹

Based on the foregoing, it ordered that the report and recommendation of United States Magistrate Judge Michael T. Parker

¹ As plaintiff failed to object, the court reviewed the report and recommendation under the "clearly erroneous" standard. See 28 U.S.C. § 636(b) (1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made."). However, where there are no objections, the court applies the "clearly erroneous, abuse of discretion and contrary to law" standard of review to the report and recommendation. United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989).

be, and the same is hereby, adopted as the findings of the court.

It follows that the action will be dismissed with prejudice.

A separate judgment will be entered in accordance with Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this 9th day of August 2024.

/s/ Tom S. Lee
UNITED STATES DISTRICT JUDGE